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August 12, 2021

Via ECF

Hon. Sarah L. Cave
United States Magistrate Judge
United States District Court-SDNY
500 Pearl Street, Courtroom 18A
New York, NY 10007

Re: Sydney Hyman v. Andrew Fabbri and Jessica Cohen
Case No. 19-civ. 10506 (AT)(SLC)

Dear Judge Cave:

This firm represents the Plaintiff Sydney Hyman (“Plaintiff”) in the above referenced matter.

I am writing in response to the letter motion [ECF Doc. # 102] filed by counsel for the Defendants earlier today seeking an extension of the current Scheduling Order [ECF Doc. # 95] with respect to expert disclosures, expert depositions, as well as an adjournment of the Case Management Conference before Judge Torres scheduled for September 23, 2021, and the joint status letter due prior to such Conference on September 16, 2021.

As we expressed to Mr. Khan and his co-counsel (Ms. Aglaia Davis, Esq.) earlier in the week, we are sorry to hear about Mr. Khan testing positive for COVID-19 and wish him a speedy recovery. We did advise Defendants’ counsel that, if acceptable to Your Honor, Plaintiff does consent to a one-week extension of the current expert discovery deadlines only. Specifically, as indicated by Defendants’ counsel in the letter motion, Plaintiff consents to the following modification to the current Scheduling Order: (a) the parties’ expert disclosure to be served by August 23, 2021 (currently August 16, 2021); and (b) expert depositions to be completed by September 7, 2021 (currently August 30, 2021). That consent was conditioned upon this being a final extension request, and obviously contingent upon Your Honor granting such extension modification of the current Scheduling Order as it applies to expert discovery for the parties.

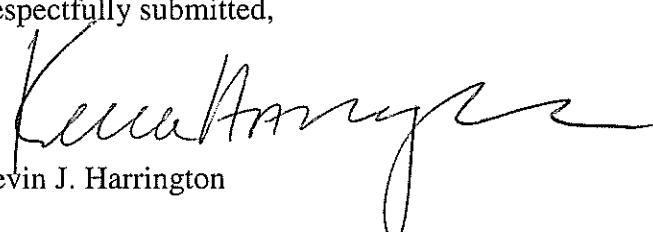
In addition to allowing Mr. Khan and his colleagues additional time under the circumstances to meet the expert discovery deadlines, Plaintiff’s counsel consented to the request on the condition that the remainder of the current Scheduling Order (a joint status report to be filed by September 16, 2021 and the Case Management Conference before Judge Torres to be held on September 23, 2021 at 10:20 a.m.) not be impacted by such extension.

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Finally, Plaintiff's experts are available to be deposed consistent with the current Scheduling Order. Any extension of the current Scheduling Order may impact the availability of Plaintiff's experts to be deposed. Whatever the Court decides on Defendants' application, we will coordinate with our experts to adhere to any revisions to the deposition schedule for expert witnesses.

Thank you for your kind attention to this matter.

Respectfully submitted,



Kevin J. Harrington

KJH:sbt

cc: Counsel of Record (w/enc.), via ECF